Scott. II-27—25,000—27-10-32.

L.S.G (PH) (1934) Department.

78 SERIES.

G.O. No. 2118 PH

DATED 7.9.34.

[Despatch Abstract.]

Rural water supply - Late Kanapalore Taluk Board (S. Kanara Dt) - Expenditure on a tank alleged to be under Vested in the Taluk Board - Paper records

B. R. BHAT, B. A., B. L.
VAKIL,
MANGALORE TALUK BOARD MEMBER.

ಬಳಂಜೆ ರಾಮಭಟ್ಟ, ಬಿ.ಎ., ಬಿ.ಎಲ್.
ವಕೀಲ,
ಮಂಗಳೂರು ಬೋರ್ಡ್ ಮೆಂಬರ್,
ಬಂಟ್ವಾಳ, ದ. ಕನ್ನಡ.

Mangalore.
~~Buntwal~~, South Kanara.
Date 21/10/ 1938.

B. R. BHAT B. A. VAKIL. TALUK BOARD MEMBER. BUNTWAL. S. KANARA.

RECEIVED 13 OCT 1933 LOCAL SELF-GOVERNMENT DEPT.

41365

RECEIVED 23 OCT 1933 1075 BOARDS DEPT.

To
The Secretary
Local Self-Govt.
Madras.

L.S.G.(A.H.) Dept

No action is called for in this as any irregularity of this nature will be noticed in the audit. Any loss resulting by such irregularity will be recovered from persons responsible. This may therefore be lodged after finalising the accounts.

Ref:— Expenditure of local board amount on the tank which does not vest in the Taluq Board Capacity of expenditure — & the responsibility for the amount.

Exam

Sir 19/10 Exam No. 19/10

I understand that 5 or 6 years ago the Mangalore Taluq Board in the District of South Kanara invested about 4 or 5 thousand rupees on the construction and repair of Bajpenade Tank. After that I understand yearly the Taluq Board invested some amounts

B. R. BHAT, B. A., B. L.
VAKIL,
MANGALORE TALUK BOARD MEMBER.

ಬಳಂಜೆ ರಾಮಭಟ್ಟ, ಬಿ.ಎ.,ಬಿ.ಎಲ್.
ವಕೀಲ,
ತಾಲೂಕು ಬೋರ್ಡು ಮೆಂಬರ್,
ಬಂಟ್ವಾಳ, ದ. ಕನ್ನಡ.

Mangalore
~~Bantwal~~ South Kanara.
Date 11/Oct 1933.

for yearly repairs. Now I understand that the Bank in question does not vest with the Mangalore Taluk Board, but with the trustees of a temple.

If that is a fact I have to the Board amount to be seen shewn as the Bill which does not belong to it.

I request you to enquire about the disposal of the expenditure and to communicate to the Board - Kindly.

This petition is sent under

Enclosure information

The result of the enquiry may be intimated to the informant.

I beg to remain
Sir, Your obedient servant
B. R. Bhat

B. R. BHAT B.A.B.L., VAKIL, BUNTWAL S. KANARA.
TALUK BOARD MEMBER.

B. R. BHAT, B.A.B.L.
ADVOCATE and Taluq Board Member.
ಬಳಂಜೆ ರಾಮಭಟ್ಟ, ಬಿ. ಎ., ಬಿ. ಎಲ್.
ಎಡ್ವೊಕೇಟ್.

B. M. SHETTY, B.A.,B.L.
VAKIL
ಬಜಾಲ್ ಮಹಾಬಲ ಶೆಟ್ಟಿ, ಬಿ. ಎ., ಬಿ. ಎಲ್
ವಕೀಲ.

KODIYALBAIL
MANGALORE
ಕೊಡಿಯಾಲ್‌ಬೈಲ್
ಮಂಗಳೂರು

Dated 28. November. 1933

The Secretary,
Local self Government,
Madras.

Ref. Expenditure of local board amount, ~~on~~ which does not vest in the Taluq Board — ligality of the expenditure — and the responsibility for the amount.

Sir.

About 2 months back I have sent you a letter referring to the above subject. (~~In the~~) The Mangalore Taluq Board in the district of South Kanara about 5 or 6 years ago invested about 4 or 5 thousand rupees on the repair and construction of Bappanadu tank. The ~~right~~ sit of the tank does not vest in the Taluq Board. The expenditure of amount on the tank is quite illegal and liable to be surcharged. As the board had no authority to spend the amount on the land which was not vested under it, even now the brigher authorities concerned may surcharge the amount spent. The President of the Taluq Board has answered to my interpellations dated 5th September 1933 as to the ligality of the expenditure as follows:—

"As the amount was spent more than 11 years ago, the present board cannot do anything in the matter."

Besides I learn that the above construction (~~under~~) and repair of the said tank was done without calling for the tenders.

In any case I find that amount has been spent without authority and illegally. I

There is no limitation to surcharge the amount spent in this case.

Under the circumstances, as a member of the Mangalore Taluq Board I request you to institute the necessary enquiry and deal with the subject according to law. The result of the enquiry may be intimated to me.

Yours most obedient servant.

Mangalore.
28-11-1933

B. R. Shetty
Mangalore Taluq Board
(Member)

LSG (RH) Dept

4/
22.11.

Rural water supply - Mangalore Taluk (Manarad) - Expenditure on account alleged to have not vested in the Taluk - Petn from [illegible] Bhat.

Om 46024-IE(RH)93 21.11.93.

Referred to the DPO Mangalore for remarks. He is requested to report definitely whether the land in question vested in the Taluk. The reply should be sent through the Collr of South Kanara.

Sd/-
22/11

To

The DPO Mangalore
(Thro)

Copy to the Collr of
S. Kanara.

22/11

Dpd. by Vani
Dpr'g initls
Date 22/11/93

E/6/

C.F. 30.

DEPARTMENT.

SECRETARY TO GOVERNMENT 14 JAN 1934 LOCAL SELF-GOVERNMENT DEPARTMENT

COLLECTOR'S OFFICE SOUTH CANARA No. 7 JAN 1934

Received ... *Registered* ... 1814 ... 19 .

Subject.

Bappanad tank-vested in the Board or not- information - submitted.

Enclosures.
No. .....
.....
Spare copies .....

Refe No. 1577/33

Station Mangalore ; *Dated the* 4th January 1934.

From (Name) A.C. Gonsalves Esquire, B.A.B.L.,
(Designation) President, Taluk Board, Mangalore.

Lr. 6427.33.
Submitted to Government -
I have not investigated this matter
Collr. S.K
11.1.34

To The Secretary to the Government of Madras,
Local Self Government Department.

Through The Collector of South Kanara.

page 5 ante

Sir,

Adverting to Government Memorandum No.46024-1-El-P.H. dated 21st November last, I have the honour to submit that the Tahsildar of Mangalore Taluk intimates to me that the tank improved by the Taluk Board is accessible to all including Adi-Dravidas and the Manager of the Sri Durga Parameshwari temple has no voice in the ownership of this tank. It stands registered as tank poramboke in the Adangal. It is intimated that there is a separate tank to the North of the Sri Durga Parameshwari temple and it stands in the holding belonging to the temple and this tank is accessible only to caste Hindus.

2. I am addressing the Collector to vest in my Taluk

A.F. 16/1/

Taluk Board the tank on which improvement has been made.

I have the honour to be,

Sir,

Your most obedient servant,

[illegible]

& President.

B.B.

DES[illegible]
6. JAN. 954

L&C (Ad) Dept

Cleo. 1814 from the D.T.B. Mangalore

Reco. 1577/33 dy 4.1.34.

Endt of the Collr of Skanara Lr no.
6477-33 dy 4.1.34.

Rect. Mangalore TuBd (Skanara Dt).
Expre on a tank alleged to be vested in the TuBd - Petition from Pr Resident -

—

On no 1814-1/Ad dy 26.1.34

The D.T.B Mangalore has, in his letter read above, reported that he is ~~addressing~~ asking the Collr to vest the tank in question in the TuBd. He is requested to submit a further report in the matter after the ~~tank is vested in the TuBd~~ Collector's orders are received.

Dpd. by Van / Post / Messenger
29.1.1934

To

The D.T.B Mangalore

Copy to the Collr of Skanara

C.F. 30.

DEPARTMENT.

Received ..... 19 . *Registered* ..... 19 .

3910.

Subject.

Rural Water Supply - Mangalore Taluk Board - Expenditure on a tank alleged to be not vested in the Board.

ENCLOSURES.

No. .....

.....

Spare copies .....

Ref.C. No. 4914-A2/34

Station Mangalore , *Dated the* 13th August 1934.

From (Name) M . R . Ry. A.B.Shetty Avergal,M.L.C.,

(Designation) President, District Board,S.Kanara.

To The Secretary to the Government of Madras,

LOCAL SELF GOVERNMENT Department.

Madras.

Sir,

Adverting to Government Memorandum No.1814-1E, P.H., dated 26-1-34, I have the honour to submit herewith a copy of Collector's Order L.Dis.on.C.No.164/34 dated 4-8-34 vesting the tank in the District Board.

Your most obedient servant,

For President,Dt.Board,S.Kanara.

16.8.34

km/16/8/34.
Compd:

L.Dis.C.No.164-34. South Kanara Collector's Office,

Mangalore, dated 4th August'34.

From

E . M. Gawne Esquire, I.C.S.,

Collector of South Kanara.

To

The President,
District Board,
South Kanara.

Sir,

Tank - Mangalore Taluk - Bappanad Village - S.No.52/16 - 0.15 acre - vesting in the District Board.

Your N.Dis.on C.No.2891-A5/34, dated 14 -7-1934.

Under G.O. No.899, Revenue Department, dated 26th March 1917, the tank vests in your Board.

(Sd) B.Madhava Rao,
8/8
For Collector.

(True Copy)

for President, Dt.Board, S.Kanara.

16.8.34

km/16/8/34.
Compd:

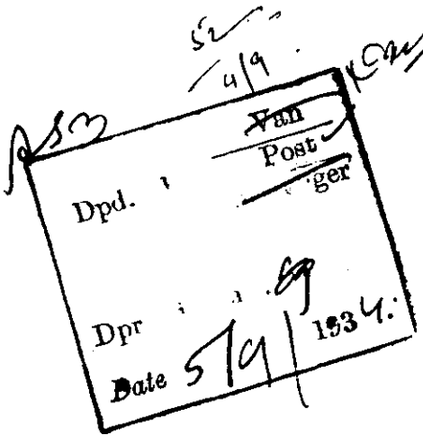
RSG (GH) Deptt

Q: 4/9

Letter No. 35441-1G/09 4G

To

The RRs Bharat, BBMB.
Kodiyal bail, Mangalore
Skanara.



Sir,

Subject:- RWS - Late Mangalore TWSD (Skanara Dt) - Expre on a tank alleged to be not refed in the TWSD

With refce to your letter Q 11.1033 and 23.11.33 on the above subject I am desired to say that the tank in question in the TWSD and that the Expre incurred by the TWSD is therefore irregular

Thanking you,

Yours etc.

21/8.

21/8

E1

Examiner's Office.

The tank in question is, apparently, not vested in the Taluk Board. A reference is invited to paragraph 12 of G.O.No.Mis.574, L&M., dated the 12th February 1927 recording the Audit Report on the accounts of the Taluk Board for 1925-26. The objection was not pursued further in audit and, consequently, it does not appear possible to surcharge the expenditure now at this stage. If necessary, the President, Taluk Board, may be asked to report on the point at issue and to state whether the expenditure already incurred from the Taluk Board funds could be justified.

(J)

46024

DEPUTY SECRETARY TO GOVERNMENT
13 NOV 1933
LOCAL SELF-GOVERNMENT DEPT.

13/11.

L.S.G.deptt.u.o.

Exam No 1075-1
13/11/33

LSG (AH) Dept

approved.

A reference is invited to the reply of the Chairman on page 13 of G.O. 574 AHH dt 12.2.27. He had already stated that the Taluk Board is a Panchayat Board and is therefore to have vested in the Taluk Board. Further the tank is a public tank and the public are, it is presumed, having access to the tank. In these circumstances the expenditure incurred may be admitted. Examr also states that it is not possible to surcharge the expenditure at this stage and it will therefore serve no useful purpose in making a reference to the Board. The papers may be lodged

(J)

As the T.Board may [illegible]
money on repairs in future
two, it is better to ask
the PO to report separately
whether any tanks is needed
and the T. Board. The report
should be submitted through
the Collector

17/11/33

L&G (Cal) Dept.

Draft as is submitted below for
approval.

20/11/33.

21/11/33

C.No 48726 from B.K.Bhat dt 28/IX/33

Mr. Bhat has sent in a reminder.
The matter has been referred to T.T.B and him pt of
a copy of final orders will be sent to Bhat.
No interim reply need be sent now to him
as he requires to be informed only of the
final action taken in the matter. pt of.

The receipt of the reply from the T.T.B
may be awaited

24/12

C.W.P. 1814 from the D.T.B Mangalore Revn 1577/33
dy 4.1.34.

Endorsee A.C.F. of Kasaragod Revn 6477-33
dy 4.1.34.

—

The D.T.B Mangalore reports that the tank in question stands registered as tank poramboke in the Kasaragod taluk ~~that~~ is accessible to all classes of people including Adivasis. He also reports that he has addressed the Cellr. to vest the tank in the Taluk. Under the orders in G.O. 132 Rev dy 20.1.1927 all public tanks and wells not being private property reserved for irrigation vest in the local boards. In the present case, if the tank stands registered as a tank poramboke ~~in~~ and is poramboke ~~but~~ reserved for irrigation purposes it automatically gets vested in the Taluk Board under the orders referred to above and there would be no need to address the Collr. to vest such tanks in the Taluk Board under the orders referred to above dy 20.1.27. The Collr. from whom the D.T.B has submitted the letter does not claim any right in the matter. He has stated that he has not investigated the matter. As the D.T.B ~~matter is under investigation etc~~ may be asked specifically to submit a report to Govt. ~~report in this respect matter~~ has addressed the Collr., the Board may be asked to send a further report. A draft is submitted below.

23/1 24/1.

L&G (A&J) Deptt.

C.no. 33453 from the D.M.S. Shamara. Recd
4914-A2/34 dt 13.8-34

Please see the letter from the D.M.S. Shamara at page 9-10 c.f. The tank in question already vested in the local board and the expn incurred on its repairs therefore and improvement is Lawful. M.r. May be informed accordingly and the papers recorded.

A draft letter is submitted below for approval. Submr. may see & sign.

L&G
21.8.34

Examr.

Examiner's Office. L&G no 33453-1 E&A
22.8.34

Seen.

3.9.34

L.S.G.deptt.u.o.

Let issue

3/9

C/B
as there

23 AUG 1934
909
LOCAL FUND ACCTS

Exam no 909-1
3934

4/9

The letter has issued. The papers may now be Order No. 2118 DH 7.9.34
7/8

Recded

6.9.34.

DEPUTY SECRETARY TO GOVERNMENT
3 SEP 1934
35441
LOCAL SELF-GOVERNMENT